United Nations A/C.3/58/SR.25

General Assembly
Fifty-eighth session
Official Records

Distr.: General
29 October 2003
English
Original: French

Third Committee

Summary record of the 25th meeting
Held at Headquarters, New York, on Monday, 27 October 2003 at 10 a.m.

Chairman: Ms. Londono (Vice-Chairperson) ..... (Colombia)

Contents

Agenda item 115: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 116: Right of peoples to self-determination (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-58008 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Ms. Londoño (Colombia), Vice-Chairperson, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 115: Elimination of racism and racial discrimination *(continued)*

(a) Elimination of racism and racial discrimination (A/58/3, A/58/18, A/58/80-E/2003/71 and A/58/313)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/58/324 and A/58/331)

Agenda item 116: Right of peoples to self determination *(continued)* (A/58/115 and A/58/180)

1. **Mr. Bernales Ballesteros** (Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination) presented under agenda item 116 his last report to the General Assembly (A/58/115). He cited the main concerns that had underlain his mandate and, referring to paragraphs 25-27, 31, 32, 34 and 35 of his report, reviewed the evolution of the situation in Africa and Latin America.

2. Referring to paragraphs 46 and 47 of his report, he recalled that, in view of gaps and weaknesses in the international legislation, the General Assembly had requested him, in resolution 57/196 of 18 December 2002, to propose in particular, as part of his work, a new legal definition of the term "mercenary". He described the essential elements of that new definition referring to sub-paragraphs (c), (d), (f), (g), (i) and (k) of paragraph 54 of his report and pointed out that the criterion of foreign nationality should be re-examined so that the nature and purpose of the tort for which a mercenary lent remunerated support should basically be the fundamental element of the definition.

3. Referring to paragraphs 55 and 59 of his report, he underscored the contribution of the two meetings of international experts convened by the Office of the United Nations High Commissioner for Human Rights to the formulation of a new legal definition addressing the participation of mercenaries in both international and domestic armed conflicts, over and above the mercenary as an individual agent, extending the definition to the concept of using mercenaries and linking that concept to the responsibility of the States and organizations involved in planning and executing mercenary activities, thereby broadening definitively the scope of Article 47 of Additional Protocol I (1977) to the Geneva Conventions of 1949, and considering mercenary activities in relation to the exercise of the right of peoples to self-determination and in all forms and variants - from operations aimed at destabilizing constitutional governments and illegal trafficking to terrorism and violation of fundamental rights.

4. In conclusion, the Special Rapporteur requested the General Assembly to distribute to the States Parties to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries the text of the proposed new definition of the term "mercenary" for examination and adoption.

5. **Mr. Amorós Núñez** (Cuba) said that the legal definition of the term "mercenary" proposed in the report (A/58/115) was the apex of the Special Rapporteur's mandate. Noting the complexity of the notions of "use of mercenaries", "mercenary act" and "criminal act", he requested the Special Rapporteur to explain in greater detail why the use of mercenaries was not merely a violation of the right of peoples to self-determination; and to clarify the viewpoint, set out in his report and in his introductory statement, concerning the issue of nationality.

6. **Mr. Bernales Ballesteros** (Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination) recalled that at the start of his mandate, established in 1987, the situation had been exceptionally difficult, especially in Africa, because of the South African apartheid regime and the existence of armed conflicts, particularly in Angola and in Mozambique. At that time, his activities had focused on the right to self-determination. Moreover, since early in his mandate he had received information on criminal activities prompted by different motives and on the involvement of many ex-servicemen who made the perpetration of such activities possible without the

direct liability of a State. Accordingly, mercenaries were recruited to carry out activities related to terrorism, trade in weapons or other types of trafficking. Many private security companies tapped into the abundant reserves of hundreds of thousands of soldiers demobilized in the wake of recent historic upheavals, raising lucrative private armies that operated across the world. That analysis was not based on conjecture but on factual observation.

7. The issue of nationality was a sensitive matter that had been debated at length, without reaching a consensus, in the two meetings of experts held in Geneva in 2001 and 2002 on the subject of mercenaries. Referring to paragraph (b) of Article 1 of the draft amendment to the definition of the term "mercenary" of the 1989 International Convention (A/58/115, Annex), the Special Rapporteur said that the double exception provided for was also based on facts. As to whether there were individuals ready to act against their own country on remuneration and by establishing connections with another State or an organization, the answer was affirmative. There were also cases of armed conflict in which mercenaries obtained a given nationality fraudulently to conceal their actual status.

8. **Mr. Endresen** (Norway) pointed out that, because of a technical error, Norway figured among the countries that associated themselves with the position of the European Union on the issue.

9. Speaking an agenda item 115, the representative on Norway said that the battle against racism and racial discrimination had to be fought at the national level, as the Durban Declaration provided, but coordinated international efforts were also vital. It was therefore unfortunate that the States had not been able to reach a common understanding on the Durban follow-up, the Working Group of Independent Experts on People of African Descent and the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action. Norway would continue to participate actively in those discussions to help to reach a consensus.

10. Norway welcomed the establishment of the Anti-Discrimination Unit in the Office of the High Commissioner for Human Rights and reaffirmed that all forms of discrimination, including discrimination based on gender, occupation and descent, should be eliminated.

11. The international community should continue to address discrimination based on religion - a cause of many conflicts in history - and counter it by promoting education, tolerance and dialogue.

12. Full realization of the human rights of minorities and indigenous peoples and full participation of those groups in society were indispensable to eliminating racial discrimination.

13. The Internet and modern communications technologies could be important vehicles for democracy and development but unfortunately it was also possible to misuse them to promote racial hatred and discrimination. The international community at large should therefore strengthen its cooperation to combat racist propaganda, including on the Internet.

14. Racism and discrimination could not be eliminated without focused long-term efforts by national authorities, including administrative and legislative measures and the establishment of specialized institutions. Norway had adopted an action plan focusing on various target areas and aimed particularly at eliminating ignorance - often the root of discrimination - through appropriate curriculum components and social programmes.

15. Norway urged all parties to reach a consensus on practical and efficient forms of action that could bring relief and protection to victims of racism, racial discrimination, xenophobia and related intolerance, and, while continuing their international efforts, to design and implement national measures against racism.

16. **Mr. Roshdy** (Egypt), recalling that the right to self-determination was an inalienable right enshrined in the United Nations Charter and confirmed in international instruments, stated that the right to resist foreign occupation and regain freedom was a legitimate right of all peoples in the world.

17. It was impossible to speak on the right to self-determination without referring to the predicament of Palestinian men, women and children who, under the yoke of occupation, were constantly the target of Israeli missiles, tanks and aircraft. Although fully aware of that situation, the international community failed to mobilize to help that oppressed people to defend its rights. One could well wonder what recourse was left to the Palestinians.

18. In three years, 3,000 Palestinians had been murdered and 24,000 injured. In the preceding three days, 21 persons had been killed. Repression only further inflamed the situation. The escalating violence, which would stop only when the occupation ended, was a sign of despair among the Palestinians.

19. The Egyptian delegation recalled that in resolution 46/51 the General Assembly had reaffirmed the right of peoples under colonial regimes to engage in legitimate combat against foreign occupation and to seek and receive support.

20. The Palestinian struggle against occupation could not be described as terrorist. It was the occupation of Palestinian territories that constituted terrorism, and the people were entitled to resist such an occupation. The repression of that legitimate resistance, under the false pretexts of self-defence and protection of settler colonies, also constituted terrorism.

21. Not the massacre of civilians but withdrawal from the occupied territories was the right self-defence. As long as the occupation continued, suffering would persist and legitimize Palestinian resistance. Whether the occupier liked it or not, Palestine would eventually become free, regardless of how long it took and of the difficulties encountered. Those who obstinately disregarded that reality should keep in mind Middle East history: eventually, the occupiers had always being chased out, robbed of their power and arrogance.

22. Never before had the Palestinians been as determined to free themselves and their combat would be crowned with success. Now the Palestinian people would determine its own future and none would be able to prevent it from exercising its legitimate rights. The time for Palestinian freedom and self-determination.

23. **Mr. Gzllal** (Libyan Arab Jamahiriya) said that policies based on racial discrimination constituted the worst betrayal of the principle of equality among men. The South African people had been a victim of such policies under apartheid and currently the Palestinian people, defenceless in occupied Palestine, were apparently subjected to the same practices by the Israeli occupation forces. The South Africans had eliminated the repugnant apartheid regime and soon the Palestinians would defeat the occupier and exercise their legitimate rights to self-determination and an independent State.

24. Racism (regardless of its particular bases and forms) was a phenomenon - combated by all civilized States and societies - which, under socio-economic and cultural pretexts, targeted racial, religious and cultural groups, particularly migrants and refugees. In some countries, racist theories led to the development of extremist groups that advocated racial superiority and carried out terrorist acts - in modern forms - against foreigners, particularly Arabs, Muslims and blacks. Xenophobic and racist patterns of behaviour could be observed in sports and also took the forms of violating domestic privacy, profaning cemeteries and desecrating places of worship. Some leaders referred to Islam in revolting terms betraying religious extremism and racism. Communication technology advances were unfortunately used to broadcast, particularly on the Internet, racist and xenophobic messages and ideas based on racial superiority. The Libyan Arab Jamahiriya supported the proposal of the Special Rapporteur (A/58/313) to negotiate an additional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination to suppress racist propaganda.

25. It was vital to preserve a people's identity, values and historical rights - sources of inspiration in the fight against racism, resist policies conducive to subjugation, hegemony and intellectual spoliation, and denounce the racist character of unilateral international sanctions. Epidemics such as AIDS, malaria and tuberculosis, marginalization, social exclusion and wealth differentials contributed to racism, racial discrimination and xenophobia. The Libyan delegation urged the international community to implement the Durban Declaration and Programme of Action.

26. The right of peoples to self-determination was a time-honoured fundamental rights. National liberation movements had imposed its exercise in the face of colonialism, achieved independence and ensured membership in the United Nations. The principle was recognized under the various branches of law, including international humanitarian law. Many peoples had exercised that right - the United Nations currently numbered 191 Member States - and the Organization should further strive to enable the peoples who were still under foreign occupation to do the same. In particular, the Palestinian people must be enabled to establish an independent, consolidated and non-racist State on the entire Palestinian territory ensuring equality among all Palestinian citizens, regardless of

origin and religion. In the Libyan Arab Jamahiriya, the principle of self-determination was established by law. The country was party to all of the international conventions against racism and racial discrimination and all States acknowledged its activity in that area.

27. Every year, the report of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination stated that the use of mercenaries was a major obstacle to the exercise of that right. The reason was that mercenary activities aimed at destabilizing or overturning the governments, infringing upon the territorial integrity and undermining the political unity of independent and sovereign States. Many torts committed by mercenaries escaped punishment because the legal definition of the term "mercenary" was vague. The Libyan Arab Jamahiriya, as a State Party to the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries, would examine carefully the new legal definition proposed by the Special Rapporteur. Combating the use of mercenaries was as important as combating terrorism and the peoples who were under foreign occupation should be enabled to exercise the right to self-determination.

28. **Mr. Bencherif** (Algeria) said that, since the establishment of the United Nations, the Organization had achieved successes in the fight against apartheid, racism and racial discrimination. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which had been held in Durban in 2001, and particularly the adoption of the Durban Programme of Action, had been an important step in the international community's fight against intolerance and racial hatred.

29. Referring to the report of the High Commissioner for Human Rights (A/58/324), according to which the various actors were at different stages in the implementation of the Durban Declaration and Programme of Action, the representative of Algeria said that it was much too early to assess the progress accomplished since the Conference but that racism and racial discrimination continued to rage across the world and to claim victims among migrant workers, non-nationals, refugees, asylum seekers and minorities.

30. Accordingly, there was cause for alarm at the upsurge of racist and xenophobic ideologies that had been thought long forgotten. They were described clearly in the excellent report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/58/313).

31. Hatred and intolerance should be eradicated and racist discourses - an insult to human intelligence and conscience - should not become commonplace. Algeria supported the reparation of past injustices such as slavery, foreign occupation and colonialism and opposed the boycott on the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action and the Working Group of Independent Experts on People of African Descent. That boycott could in fact be counterproductive, if interpreted as a denial of dutiful memory and as an instance of racial discrimination.

32. Algeria remained deeply committed to the right of peoples to self-determination, confirmed particularly in resolution 1514 (XV) of the General Assembly, and recalled the importance of the task of decolonization performed by the United Nations. Algeria had had cast off the colonial yoke and gained independence as part of that process. While the recent victory of the people of Timor-Leste was to be hailed, other peoples were still deprived of their inalienable right to self-determination and freedom.

33. Regarding the predicament of the Palestinians, who claimed the right to set up a State with Jerusalem as its capital, Algeria wished a comprehensive and definitive solution to the Israeli-Palestinian conflict according to the principle of "land for peace" and the national rights of the Palestinian people. Concerning Western Sahara, 28 years after the withdrawal of the old colonial power, the Saharan people could still not exercise their right to self-determination. Algeria reiterated its full support for the Peace Plan for Self-Determination of the People of Western Sahara submitted by the Secretary-General's Personal Envoy and endorsed by the Security Council. A just and definitive solution to the issue of Western Sahara in strict conformity with the right of the Saharan people would certainly ensure the necessary stability and concord in the Maghreb.

34. **Mr. Akasha** (Sudan) said that, like the international community, his country was concerned over the upsurge, in many regions of the world, of

racism, racial discrimination and xenophobia, particularly against immigrants, refugees and ethnic minorities.

35. To eliminate those scourges, it was necessary to strengthen the mechanisms of international cooperation, enhance awareness in the cultural and social areas, promote, on an international scale, the value of ethnic diversity and eradicate the concept of racial supremacy. Sudan was a party to the International Convention on the Elimination of All Forms of Racial Discrimination (particularly on the basis of religion, race or language) and devoted resources to that effort.

36. Sudan was in favour of an integral implementation of the Durban Declaration and Programme of Action, essential to combating racism, and supported the report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/58/313), including the view that the follow-up to the Durban Conference should be based on a twofold strategy: strengthening the promotion and implementation of pertinent legal instruments and studying the roots of xenophobia, racism and racial discrimination. The report also referred to the various forms of racism against Muslim and Arab populations after the terrorist attacks of 11 September 2001.

37. In line with the position adopted by the African Union, Sudan defended the right to self-determination, which was particularly significant to peoples under a colonialist yoke. The exercise of that right should never lead to the break-up of a State, interference in a State's domestic affairs or infringement upon its sovereignty or territorial integrity and must be correctly interpreted to forestall conflicts, threats to regional and international peace and security and additional suffering. In conclusion, the representative of Sudan urged the international community to give due consideration to the plight of the Palestinians - oppression, coercion and massacres - in the occupied territories and called for the establishment of a Palestinian State with Jerusalem as its capital.

38. **Mr. Sallam** (Saudi Arabia) said that, in the face of dangerous world problems such as racism, racial discrimination and xenophobia, the cooperation of all was indispensable. The role of the United Nations and its various organizations should be strengthened with a view to finding solutions to those problems and appropriate methods of work to ensure international peace and security.

39. Faithful to its Islamic principles and values, its system of government and its moderate policy, Saudi Arabia had affirmed in its national legislation the principle of non-discrimination in all its forms and, in November 1997, had acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. It condemned all fanatical practices, protected human rights and forbade torture. The law applied to men and women without exception and, in particular, Saudi Arabia ensured women the fundamental rights to work, health, social services and free education.

40. Moreover, the law allowed non-Muslim residents to practice their religion under Article 18 of the International Covenant on Civil and Political Rights (ICCPR) and with Article 1 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The law provided for those restrictions to defend public policy, public health and public morality.

41. Saudi Arabia supported all efforts aimed at protecting human rights, hailed the Durban Declaration and welcomed the fact that the General Assembly had invited all States to implement at the national, regional and international levels the Work Programme of the Third Decade to Combat Racism and Racial Discrimination.

42. **Mr. Aguzzi Durán** (Venezuela) said that, above all, the Venezuelan Minister of Foreign Affairs had deposited, on 22 September 2003, with the United Nations Secretariat the instrument by which Venezuela recognized the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals claiming to be victims of a violation of any of the rights set forth in the International Convention on the Elimination of All Forms of Racial Discrimination. At the national and international levels, Venezuela had always clearly and firmly supported the combat against all forms of discrimination. It was a party to most of the relevant international legal instruments and equality of all before the law was enshrined in its Constitution.

43. The Office of the Defender of the People, one of the three bodies that form civil power in Venezuela, was responsible for promoting, defending and

monitoring the exercise of the rights and guarantees enshrined in the Constitution and in the international instruments on human rights and of the citizens' legitimate - collective and individual - rights. Concerning indigenous peoples' rights, the Defender of the People ensured that the State adopted measures designed to facilitate the access of those peoples to health and education services provided in their mother tongue, and that they were involved in decision-making regarding their land and mining- and forestry-related activities. Through the Minister of Labour, the Government had launched a series of reforms designed to protect workers from any anti-union practices and ensure them the right to strike.

44. The Venezuelan delegation was unaware of any mercenary activities in the Venezuelan territory, any participation of Venezuelan citizens in activities undermining the sovereignty of other States or any involvement of mercenaries in torts perpetrated in the country, but was concerned over the recent increase of kidnappings and other crimes committed by subversive organizations having their operational base abroad and linked to drug trafficking.

45. **Ms. Valle Camino** (Cuba), speaking on agenda item 115, said that her country, convinced that it was time to implement the proposals of the Declaration and the Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which had been held at Durban, South Africa, was ready for action and accordingly supported all relevant measures. The world was experiencing more elaborate forms of racism, racial discrimination and xenophobia than before. The phenomenon was more pronounced in the developed countries, where neo-fascist ideologies gained ground, advocating the superiority of some races and cultures and leading to violence, mainly against migrants. Cuba was deeply concerned over the adoption, by many industrialized countries, of laws whose implementation affected adversely the protection of the rights of migrants and asylum seekers.

46. Referring to other alarming occurrences mentioned in the report of the Special Rapporteur of the Commission on Human Rights (A/50/8/313), the Cuban delegation dwelled on the proliferation of Internet sites serving as a vehicle for racist and xenophobic propaganda, and was concerned over the fact that many industrialized countries had expressed reservations concerning Article 4 of the Convention on the Elimination of All Forms of Racial Discrimination, which condemned in particular all propaganda and organizations drawing on ideas or theories based on the superiority of a race or group of a given colour or of a particular ethnic origin.

47. The inequitable distribution of wealth among and within the various countries was compounded by excessive market liberalization and globalization based on individualism, which was largely responsible for the exacerbation of marginalization and social exclusion. Muslim and Arab communities were stigmatized. In the United States, in particular, many hundreds of persons of Arab origin or Muslim faith were incarcerated since 11 September 2001. Telling figures could be cited. In the United States, Hispanics and North Americans of African origin accounted respectively for 45.7 and 42.5 of the population living below the poverty line, while among women prisoners North Americans of African origin were eight times more numerous than Anglo-Saxons.

48. The international community could not remain indifferent to the condition of victims of racism. Cuba called upon all of the competent bodies of the United Nations system to disseminate the Durban agreements and streamline them into the activities that they carried out under their respective mandates; and appealed to the well-intentioned political will of the governments of industrialized countries.

49. **Ms. Khalil** (Egypt), speaking on agenda item 115, said that Egypt associated itself with the statement made by Morocco on behalf of the Group of 77 and China on the combat against racism. Efforts in that area should be undertaken on a global scale. Egypt deplored the fact that too many people continued to live under domination despite all the declarations ascribing priority to the combat against racism.

50. Concerning particularly the conditions faced worldwide by persons of Arab origin and Muslim faith after the attacks of 11 September 2001, Egypt was impatiently looking forward to the presentation of the Special Rapporteur's study to the Commission on Human Rights at its 60th session, and suggested that the study should also be submitted to the General Assembly. In some cases, human rights were violated under the pretext of defending them. Egypt deplored the existence of discriminatory measures against Arabs and Muslims and the absence of a positive attitude towards them, referring to restrictions imposed on

members of those groups in airports and to limitations on their movement - which showed that political statements and actual everyday practices were in contradiction with each other.

51. Egypt was deeply concerned over the resurgence of racism, particularly in sports - which precisely defended the values of non-discrimination - and the emergence of new forms of discrimination against immigrants and refugees. Concerning the Palestinians, who were subjected to the worst forms of racism and whose fundamental rights, particularly the inalienable right to self-determination, were trampled on daily, Egypt was looking forward to the day when no reference would any longer need to be made to their plight.

52. All appropriate measures should be taken to implement the commitments contained in the Durban Declaration in accordance with the principles formulated therein to follow up on the relevant recommendations.

53. **Ms. Fusano** (Japan) said that, aware of its colonialist and belligerent past, her country was determined to act against all occurrences of arrogant nationalism and to promote cooperation, peace and democracy on an international scale. Education was important as a means of combating racism by dispelling ignorance and prejudices. Youth exchanges programmes were particularly beneficial and the Japanese Government had extensively developed such programmes.

54. Japan hailed the activities carried out by the Commission on Human Security and underscored the importance of cooperation among States, international bodies and civil society organizations for promoting security for all.

55. Racial or ethnic tensions had led to serious human-rights violations. Accordingly, co-existence and tolerance were fundamental and had to be strengthened through education.

56. The inalienable right to self-determination, enshrined in the United Nations Charter and reaffirmed in other instruments, was of key importance. Japan welcomed Timor-Leste's progress during its first year of independence in the areas of public administration, domestic security and relations with Indonesia and would continue to support efforts to further build the viability of that State.

57. The Japanese Government was deeply concerned over violence in the Middle East. Acts carried out on both sides were obstacles to the implementation of the road map. Israelis and Palestinians should display maximum restraint to avoid exacerbating the situation and bring violence to an end with the help of the international community. Japan was ready to lend political and economic support to any solution to the current crisis.

58. **Mr. Al-Qaisi** (Jordan) defined the right of a people to self-determination as a people's entitlement to live permanently on its territory and to chose its government and its future. That right, which in turn was the basis of the right to independence and sovereignty, prerequisites to all other rights, ultimately consisted in the natural right of any people to establish a State on its national territory. Ensuring the exercise of that right would guarantee international stability and peace. In the case of peoples under colonial or foreign occupation, absence of such guarantees led to human-rights violations. Accordingly, based on the United Nations principles and goals set out in articles 1, 55 and 56 of the Charter and in the Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV) of the General Assembly), Jordan reaffirmed the inalienable right of the Palestinian people to self-determination.

59. Jordan reiterated the necessity to resume the peace process in the Middle East and to provide for a Palestinian State with East Jerusalem as its capital. The President of the United States of America had conveyed his vision for the peace process on 24 June 2002 - and reaffirmed it at the Aqaba Summit in June 2003 - in line with the road map adopted by the Quartet for a comprehensive, just and sustainable peace according to the Security Council resolutions and the Arab Peace Initiative.

60. **Mr. Simancas** (Mexico) said that his country considered that it was vital to meet the obligations set out in the Durban Declaration and Programme of Action. The Mexican Government had supported the work of the Citizens' Committee to combat racial discrimination. That work had eventually led to drawing up a bill on discrimination and to the enactment of a federal law aimed at preventing and eliminating discrimination. The law had taken effect on 11 July 2003. It defined discriminatory social practices clearly, specifying the persons who were most vulnerable, and contained specific provisions for

women, indigenous peoples, persons with disabilities, children and older persons. It also provided for the establishment of a National Council for the prevention of discrimination, to be formed by a Constitutive Assembly consisting of citizens, representatives of the private and social sectors and academics. The goals of the National Council were to contribute to the social and democratic development of the country, carry out initiatives aimed at preventing and eliminating any discrimination, formulate and promote public policies in favour of equal opportunities and equal treatment for all persons in the national territory and coordinate the activities of federal executive authorities in the area of preventing and eradicating discrimination.

61. Mexico had hosted the International Forum for the promotion of non-discrimination, whose work had focused on the causes and effects of discrimination and on legislation, public policies and best practices for its prevention and elimination. Mexico had proposed a draft comprehensive and integral international convention on the protection and promotion of the rights and dignity of persons with disabilities. It urged all States to ensure the progress of negotiations on that convention and to sign and ratify on a priority basis the International Convention on Protection of Rights of All Migrant Workers and Members of Their Families.

62. **Mr. Lewis** (Antigua and Barbuda), speaking on agenda items 115 (a) and (b) on behalf of the 14 Member States of the United Nations that were members of the Caribbean Community (CARICOM), said that the people of the Caribbean were acutely aware of the ills associated with racism and racial discrimination and their lingering effects on the development of societies. The current manifestations of racism and racial discrimination were a social, cultural and political phenomenon born of wars, slavery and military conquests rather than naturally instinctive reactions of the human being, and the present inequitable social and economic conditions were caused in large part by those historical wrongs. CARICOM endorsed initiatives to address those inequities (speedy debt relief, the New Partnership for Africa's Development (NEPAD) and other initiatives under ongoing discussion by governments and civil society).

63. A classic illustration of the impact of racism on the development of a small State was observable in Haiti, the first independent republic of people of African descent, which would celebrate the bicentennial of its independence in 2004. The international community should assist in attempting to remedy Haiti's past and ensure its future.

64. CARICOM applauded the work of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance and his participation in a series of international, regional and national consultations, workshops, seminars and discussions, particularly the "Regional Workshop on Strategies for the adoption and Implementation of Affirmative Action Policies for Populations of African Descent in Latin America and the Caribbean" held in Montevideo, Uruguay in May 2003. CARICOM also noted the useful field missions undertaken by the Special Rapporteur to Guyana and Trinidad and Tobago to discuss inter-ethnic relations, and his recommendations to the General Assembly (A/58/313) in the areas of legislative, judicial, awareness and educational initiatives and issues related to the vulnerability of immigrants, refugees and non-nationals.

65. CARICOM congratulated the Office of the High Commissioner for Human Rights (OHCHR) on undertaking the broad range of responsibilities set forth in the Durban Declaration and Programme of Action, particularly assisting national governments in formulating national plans of action to combat racism. The efforts of the Office deserved active support by the international community.

66. CARICOM took particular note of the work undertaken by the Working Group of Independent Experts on People of African Descent which had met in late 2002 and early 2003 in Geneva and which had adopted conclusions on the need for data collection from a wide range of sources, on measures to ensure full and effective access to the justice system, on the elimination of racial profiling and on the development of community-level initiatives.

67. CARICOM fully supported the provisions contained in resolution 57/194 on the International Convention on the Elimination of All Forms of Racial Discrimination and would support the relevant draft resolution to be introduced at the current session. It also concurred with resolution 57/195, which called on States to draw up action plans for implementing the Durban Declaration and Programme of Action.

68. The concerns and interests of the indigenous peoples were an issue interrelated with the problems of

racism and racial discrimination. Indigenous groups had recently met in Durban, South Africa and expressed the view that a high-level independent truth and reconciliation commission should be set up, on the model of the commissions that had heard political crime confessions in South Africa in 1994. The aim would be to investigate the historical cases of violations related to the creation of parks and to produce impartial conclusions, which - with appropriate restitution mechanisms - would promote healing.

69. **Mrs. Molaroni** (San Marino), speaking on agenda item 115 (a) and (b), said that, although in principle her country concurred with the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression (A/CONF.189/PC.2/24) that the Internet was a unique tool for promoting human rights, in practice the use of the Internet admittedly had not always positive implications on human rights. That fact explained the current debate on regulating new technologies. San Marino condemned the use of the Internet to broadcast messages inciting to racial, religious or other hatred across national boundaries and to bypass laws banning discriminatory and hatred material. Regulations, however, could pose dangers of abuse where the rule of law and respect for human rights were weak. Government intervention should always be based on pertinent national legislation and applicable international standards and should be consistent with freedom of opinion and expression. At the same time, Internet service providers should have an obligation to prevent posting racist or discriminatory material. Accordingly, governments could encourage the Internet industry to provide improved filtering tools and rating systems.

70. San Marino had cooperated in publishing an Internet site with the Declaration of Human Rights in 331 languages (hosted on <www.unhchr.ch>), and paid tribute to the Swedish Government for promoting on the Internet a campaign to disseminate information about the Holocaust and draw conclusions from discussions on racism and human rights.

71. San Marino endorsed fully the principles of non-discrimination, supported unreservedly the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action and was convinced that cooperation and information exchange among the various organs and mechanisms of the United Nations, intergovernmental organizations and non-governmental organizations (NGOs) were essential to the fight against racism.

72. **Mr. Mugaas** (Observer for the International Federation of Red Cross and Red Crescent Societies (IFRC)), speaking on agenda item 115, said that the IFRC had been pleased to see that various organizations, such as the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), were devoting significant resources at regional and country levels to seeking ways of addressing the problems of racism and racial discrimination but was deeply concerned over the growth of extremism and the reduced readiness to combat exclusion, social inequality, economic differences, xenophobia and discrimination. Those facts confirmed the timeliness of the Programme of Action and Declaration adopted at the Durban Conference, but also showed that the work done since the adoption of the Convention on the Elimination of All Forms of Racial Discrimination had been insufficient.

73. Motivated by the principles of impartiality, neutrality and especially humanity - by no means confined to the boundaries of cultural, political, ethnical or religious differences -, the Federation had launched a global/local initiative to promote tolerance, non-violence and non-discrimination within the communities. Those issues, addressed at the 27th International Red Cross/Red Crescent Conference in 1999, would reappear for further consideration at the 28th International Conference in December 2003. The Federation aimed at building local capacities, centred on national organizations, to ensure that work was done in a context appropriate to local conditions and, to that purpose, made extensive use of trained volunteers. The Federation looked for partnerships and was therefore particularly pleased that its hope for programmes of joint action with national human rights institutions was close to fulfilment. Notable IFRC initiatives included a training initiative ("Action to Reduce Discrimination in Violence in the Community: Global / Local") and a variety of programmes launched by the Red Cross organizations of various countries (Norway, Bosnia-Herzegovina, United Kingdom, France, Sierra Leone and Democratic Republic of the Congo).

74 To share best practices and lessons learned, the Federation had inaugurated an extranet project (entitled "FedNet").

75 Most governments accepted readily that the national Red Cross or Red Crescent societies could make a valuable contribution to their own work against discrimination and hopefully there would be a common understanding that governments should initiate dialog with all civil society institutions capable of working with them against racism and discrimination.

76 **Ms. Hermoso** (Observer for the International Labour Organization (ILO)), speaking on agenda item 115 (b), said that ILO was preparing a plan of action for technical cooperation to eliminate discrimination at work. In that connection, ILO had tried to identify areas and vulnerable groups, such as indigenous peoples and migrants, that needed particular attention. ILO worked with governments and workers' and employers' associations, helping to draft legislation on equality standards, providing training, technical advisory services and capacity-building assistance, and conducting awareness-raising activities. ILO encouraged governments to ensure that existing legislation on discrimination and equality was fully enforced and to monitor the effectiveness of relevant policies and programmes.

77 ILO carried out activities at the regional level. In Latin America, consideration was being given to a major regional project on forced labour, discrimination and indigenous peoples in seasonal labour markets. An international conference would be held in Peru in the current year on the same subject. In Africa, ILO had been working with indigenous communities, particularly in Tanzania and Cameroon, and with pastoralists and hunter-gatherers in Kenya, ensuring that their traditional livelihoods provided enough job opportunities to reduce emigration and eliminate discrimination. In Asia, ILO had encouraged the development of new national frameworks in Korea and Thailand to prevent discrimination of migrant workers, while in Bangladesh and Indonesia it had proposed ways of protecting national workers abroad. In Europe, much of ILO's work had focused on the plight of the Roma in Eastern and Central Europe in view of the fact that their poor access to education and employment was not merely an economic, cultural or social problem but must also be approached from a human-rights perspective.

78 Other activities carried out by ILO included its participation in producing a publication on racism and tolerance under the auspices of the Office of the High Commissioner for Human Rights and UNESCO (OHCHR), and planned activities to follow up on the joint ILO/OHCHR initiative on "Discrimination Is Everybody's Business".

Statements in exercise of the right of reply

79 **Mr. Kadiri** (Morocco), addressing the reference to the Sahara issue in Algeria's statement, said that Morocco had clearly stated its position on the issue of Moroccan Sahara in the debates that the Fourth Committee had devoted to that issue two weeks earlier. Morocco considered the issue as a regional geopolitical dispute between Morocco and Algeria. The Fourth Committee, in the resolution that it had adopted at the current session, had encouraged the parties to negotiate a reciprocally acceptable political solution to the issue. Morocco drew the Committee's attention to Algeria's mistaken interpretation of Security Council resolution 1495 (2003), which made support for the peace plan submitted by the Personal Envoy of the Secretary-General contingent upon acceptance and agreement of all parties. That agreement should be reached through political negotiations that had not yet taken place.

80 **Mr. Bencherif** (Algeria) replied that the Western Sahara question was a decolonization issue for which the United Nations had provided a peace plan and designated a Personal Envoy. Regarding the resolution invoked by Morocco, the representative of Algeria pointed out that he had referred to resolution 1514 (XV), which confirmed the right to self-determination.

81 **Mr. Kadiri** (Morocco), referring again to the affirmation, contained in the statement of Algeria, that Algeria reiterated its full support for the Peace Plan for Self-Determination of the People of Western Sahara submitted by the Secretary-General's personal envoy and endorsed by the Security Council, said that it constituted a mistaken interpretation of the content of resolution 1495 (2003), which, he repeated, made support for the peace plan submitted by the Personal Envoy of the Secretary-General contingent upon acceptance and agreement of all parties and that the agreement should be reached through political negotiations that had not yet taken place.

82 **Mr. Bencherif** (Algeria) replied that Morocco was free to chose any interpretation that it liked but Algeria denied the allegation, repeated many times by

the Moroccan delegation, aimed at turning the Sahara question into an Algerian-Moroccan problem, while it was a problem of decolonization and the United Nations had determined which were the parties to the conflict.

The meeting rose at 12.45 p.m.

United Nations A/C.3/58/SR.26

General Assembly
Fifty-eighth session
Official Records

Distr.: General
30 October 2003
English
Original: French

Third Committee

Summary record of the 26th meeting
Held at Headquarters, New York, on Tuesday, 28 October 2003, at 10 a.m.

Chairman: Mr. Priputen (Vice-Chairman) ..... (Slovakia)

Contents

Agenda item 110: Advancement of women (*continued*)

Agenda item 113: Promotion and protection of the rights of children (*continued*)

Agenda item 115: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 116: Right of peoples to self-determination (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-58228 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Priputen (Slovakia), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 110: Advancement of women *(continued)* (A/C.3/58/L.19 and L.22)

1. **Mr. de Barros** (Secretary of the Committee) called the participants' attention to a mistake in resolution A/RES/57/180. Draft resolution A/C.3/57/L.21, submitted to the Committee at the previous session, had been revised orally by its main sponsor, New Zealand. The revision had consisted in deleting preambular paragraph 5 of the draft resolution, which had then been adopted as revised. However, in the text of the draft resolution appearing in the Third Committee report transmitted to the General Assembly under document symbol A/57/549, it was preambular paragraph 6 - instead of 5 - that had been deleted. As a result, resolution A/RES/57/180 did not reflect the agreement reached by the members of the Third Committee.

Draft resolution A/C.3/58/L.19: Improvement of the status of women in the United Nations

2. **Ms. Maillé** (Canada), introducing draft resolution A/C.3/58/L.19 on behalf of Australia, Canada and New Zealand, said that the following countries had become co-sponsors: Belize, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Ecuador, Eritrea, Ethiopia, Finland, Guatemala, Italy, Kazakhstan, Latvia, Luxembourg, Madagascar, Malawi, Malta, Namibia, Netherlands, Nicaragua, Peru, Portugal, Republic of Korea, Romania, Spain, Switzerland, Tunisia, Ukraine, United States of America, Uruguay and Venezuela.

3. Three years after the target year 2000 set at the Fourth World Conference on Women for meeting the goal of gender equality in the United Nations system, the situation had not changed noticeably. Between 1998 and 2003, almost no progress had been made in the rate of representation of women in appointments of one year or more at the professional and higher levels.

4. The executive heads of the organizations of the United Nations system were therefore encouraged to intensify their efforts to meet the goal of gender balance as soon as possible. The Secretary-General's comprehensive review of progress made toward gender equality to the Fifth Committee was awaited with great interest.

5. The resolution before the Committee reminded Member States that they could do a number of things to assist the United Nations to meet the goal of gender parity, such as identifying women candidates for positions in the various organizations of the United Nations system. The high representation of women in the International Criminal Court after the latest elections to that body showed that it was possible to tackle the issue successfully.

6. Australia, Canada and New Zealand were pleased to note that at the current session the traditional report submitted by the Secretary-General to the Commission on the Status of Women had become a verbal update and encouraged other delegations to take analogous streamlining measures.

7. The following modifications were to be noted: in the third preambular paragraph, the text following the words "paragraph 39, 40 and 41" should be deleted; in the sixth preambular paragraph, the words "which have achieved or continue to maintain the goal of gender balance" should be replaced with the words "in achieving or maintaining the goal of gender balance"; the seventh and ninth preambular paragraphs should be reformulated to read "Expressing particular concern that for the second consecutive year there was a slowing of progress toward achieving the target of 50/50 and that between 1998 than 2003 there has been almost no progress in the rate of representation of women in appointments of one year or more at the professional and higher levels"; the eighth preambular paragraph should be deleted; in the (English text of the) tenth preambular paragraph, the word "female" should be inserted between the words "one" and "special" and the words "that is a woman" deleted; the eleventh preambular paragraph should be deleted; in the second operative paragraph, the words "near future" should be replaced with the words "very near future"; in the fourth operative paragraph, the word "staff", occurring twice, should each time be replaced with the words "professional staff", the words "and the

executive heads of the organizations of the United Nations system" should be inserted after the words "Secretary-General" and the word "his" should be replaced with the word "their"; in (the English text of) sub-paragraph (g) of the fifth operative paragraph, the words "of a project" following the word "Management" should be moved and they should follow the word "formulation"; in (the English text of) sub-paragraph (h) of the fifth operative paragraph, the words "research-based" should be inserted before the word "analysis"; in (the English text of) operative paragraph seven, the text following the words "high-level positions" should be moved and they should follow the words "Secretary-General". Furthermore, some footnotes had been deleted.

8. **The Chairman** announced that the following countries had become co-sponsors of the draft resolution: Austria, Bangladesh, Bolivia, Bosnia-Herzegovina, Central African Republic, Ghana, Greece, Haiti, Jamaica, Morocco, Mozambique, Nigeria, Saint Kitts and Nevis, Sierra Leone, Zambia and Zimbabwe.

Draft resolution A/C.3/58/L.22: Elimination of all forms of violence against women

9. **Mr. Derrek** (Netherlands), introducing draft resolution A/C.3/58/L.22 on behalf of the co-sponsors, said that the problem of violence against women had been examined by many bodies and conferences, such as the General Assembly of the United Nations, the Fourth World Conference on Women and the Commission on Human Rights.

10. Always actively participating in combating that type of violence, the Netherlands Government had brought before the General Assembly many relevant draft resolutions, concerning particularly traditional practices affecting the health of women and girls. The draft resolution currently examined built upon an existing consensus on the problem and dealt with various forms of violence, such as crimes in the name of honour, domestic violence, sexual harassment, women and armed conflict and early and forced marriages. In Europe, the proportion of women having experienced some form of domestic violence and sexual harassment in the workplace was estimated respectively at 20-50 percent and 45-81 percent. The draft resolution went beyond usual listings: it outlined specific measures that the States should take in order to eliminate all forms of violence against women. Moreover, the Secretariat of the United Nations was requested to carry out an in-depth study of violence against women in all its forms and manifestations. In particular, the study should include a statistical overview of the various forms of violence against women, detecting gaps in data collection; outline the causes and consequences of violence; and identify best practices and effective remedies.

11. The international community had to show resolve in working towards the elimination of all forms of violence against women. To that purpose, all delegations were encouraged to show flexibility and a spirit of consensus.

12. The speaker noted that the following countries had become co-sponsors of the draft resolution: Bulgaria, Central African Republic Iceland, Kazakhstan, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia, Ukraine and Venezuela.

13. **The Chairman** announced that the Dominican Republic, Estonia, Liechtenstein and Madagascar had become co-sponsors of the draft resolution.

Agenda item 113: Promotion and protection of the rights of children *(continued)* (A/C.3/58/L.23 and L.24)

Draft resolution A/C.3/58/L.23: Importance of the role of parents in the care, development and well-being of their children

14. **Ms. Elisha** (Benin) explained the circumstances that had led to the introduction of the draft resolution under agenda item 113. The Beninese delegation had chosen to introduce that draft resolution under agenda item 106 and had deposited the document in time accordingly, both in hard-copy and in electronic form (on diskettes). The Secretariat had perhaps made a mistake about the character of the document and the draft resolution had been presented under a agenda item 113. As a result, because of the Secretariat's error, the Beninese delegation had no choice other than introducing the draft resolution under agenda item 113 but planned to present it under the appropriate agenda item at the next session.

15. Introducing the draft resolution, the speaker said that, although the Convention on the Rights of the Child was the most ratified Convention produced by the United Nations, its implementation remained difficult in some countries. As a result, too many

children had become street children, child soldiers, child offenders or children addicted to drugs.

16. In African countries, those problems persisted mainly because of poverty, illiteracy and the absence of a legal framework. In countries with no extreme poverty, parents faced modernization- and globalization-related challenges which led to family disintegration and re-composition. The parents' most difficult current task consisted in raising their children the way they wished. There were three main aspects of parenting: care, focusing on the well-being of the child; control, primarily setting behavioural boundaries; and development, endeavouring to offer children the best prospects of developing their talents.

17. The draft resolution referred to the difficulties faced by parents and children and the measures taken at various levels to identify solutions; encouraged parents to become more involved in their children's life; and took account of the viewpoints expressed by the delegations, prompting them to participate actively in the negotiations to reach a consensus.

18. The following countries were co-sponsors of the draft resolution: Afghanistan, Algeria, Azerbaijan, Benin, Burkina Faso, Burundi, Cape Verde, Central African Republic, China, Congo, Côte d'Ivoire, Dominican Republic, Gabon, Guinea, Malawi, Niger, Nigeria, Pakistan and Senegal.

19. **The Chairman** announced that Cameroon, Dominica, Eritrea, Haiti, Madagascar, Qatar and Sierra Leone had become co-sponsors of the draft resolution.

Draft resolution A/C.3/58/L.24: The situation of and assistance to Palestinian children

20. **Ms. Khalil** (Egypt), introducing the draft resolution on behalf of the sponsors listed in the document, said that the continued deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem, affected the entire Palestinian society, and in particular the Palestinian children. Since 28 September 2000, 600 Palestinian children had been killed and thousands injured, many seriously. The gravity of the situation had prompted the introduction of the draft resolution, identical to the one adopted in 2002, save for two words that had been added to that earlier text: in the fifth preambular paragraph, the word "continued" had been inserted before the words "grave deterioration"; and in the seventh preambular paragraph the word "severe" had been inserted before the word "consequences".

21. The draft resolution expressed inter alia the General Assembly's concern that the Palestinian children under Israeli occupation remained deprived of many basic rights under the Convention on the Rights of the Child; condemned all acts of violence, resulting in extensive loss of human life and injuries, including among Palestinian children; and called upon the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis faced by Palestinian children.

22. The speaker said that the following States had become co-sponsors of the draft resolution: Djibouti, Jordan, Kuwait, Libyan Arab Jamahiriya, Morocco, United Arab Emirates and Yemen.

23. The adoption of the draft resolution by consensus would contribute to attenuating the hardships suffered by Palestinian children and to providing them with direly needed assistance and protection.

24. **The Chairman** announced that the following States had become co-sponsors of the draft resolution: Algeria, Bangladesh, Cuba, Indonesia, Malaysia, Namibia, Nigeria, Oman, Saudi Arabia, Senegal, South Africa and Sudan.

25. **Mr. De Barros** (Secretary of the Committee) reminded the delegations that a document with instructions regarding the presentation of draft resolutions had been distributed to them many times. Delegations not in possession of that document should obtain a copy from the Secretariat to avoid future misunderstandings.

26. **Mr. Maquieira** (Chile), speaking on agenda item 115 (b), said that the adoption of the Durban Declaration and Programme of Action had enabled his country to renew earlier commitments to combating racial discrimination.

27. Since the return of democracy in 1990, Chile had endeavoured, through strategies combining macroeconomic and social policies, to improve the living conditions of the population by promoting economic growth beneficial to all.

28. It sought to ensure that its citizens lived in dignity and had equal opportunities. Under the strategy implemented, social benefits had been strengthened and education, health, housing and access to justice

promoted. Specific policies had been formulated to provide assistance to the population considered most vulnerable (on the basis of income, age, gender, physical or mental health and ethnic origin).

29. Minorities should be protected by combating exclusion. The General Secretariat of the Chilean Government had therefore launched in 2000 a programme promoting tolerance and non-discrimination through activities carried out by bodies representing the interests of various groups facing discrimination. There were provisions for integrating citizen requests and proposals into programme policies, protecting diversity and applying the constitutional principles of equality and non-discrimination.

30. An inter-ministerial network and a network of citizens consisting of representatives of organizations dealing with discrimination (on the basis of ethnic origin, religion, gender or status) had cooperated in formulating a national plan to combat discrimination, strengthen democratic and participatory procedures and promote tolerance and non-discrimination in Chile.

31. Combating racism and intolerance efficiently required identifying and analyzing the methods most conducive to attaining the goals set at Durban and Chile planned to address that issue within the Working Group of the Commission on Human Rights, which it chaired.

32. **Mr. Talbot** (Guyana), speaking on sub-paragraphs (a) and (b) of agenda item 115, said that the interim report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/58/313) provided welcome insights into the global community's quest to eliminate the scourge of racism and racial discrimination.

33. Almost four decades after independence, Guyana, a multi-ethnic State, continued to struggle to remove colonial vestiges of racial discrimination. Yet, the country's political activities and socio-economic fortunes had been shaped by the interaction of its two dominant ethnic groups.

34. Convinced that racism and racial discrimination obstructed sustainable development, Guyana endeavoured to combat those scourges. Its national motto, "One People, One Nation, One Destiny", expressed eloquently its long-standing conviction that the attainment of national development goals was contingent upon the full participation of people, regardless of race, ethnic origin, religion or gender. That fundamental right was set out in the Charter of the United Nations, the Universal Declaration of Human Rights and many resolutions of the United Nations.

35. The Government of Guyana continued to build the basis for equal participation of all its citizens in the development process. To improve the living conditions of its population, it strove to combat discrimination, ensure even-handedness in the provision of governmental and other services, and foster a culture of mutual respect in the face of difference.

36. In the political sphere, the institutionalisation of mechanisms that enhanced cooperation for better governance at the national level had dispelled distrust between the main political and ethnic groups and led to the signing by the President of the Republic and the leader of the main opposition party on 16 May 2003 of a cooperation communiqué revitalizing the system of dialogue. Guyana's commitment to those measures bore testimony to its resolve to overcome racism in all areas of public life, offered promising prospects for the quality of life of its citizens and could provide an example for other countries and regions with similar challenges.

37. Endeavours to strengthened the legal framework for the protection of rights and recourse to legal remedies in instances of discrimination in employment had been buttressed with the operationalization of an Ethnic Relations Commission, an independent body in which all main sectors of society were represented and which had the powers of sanction in instances of race- or ethnicity-related discrimination.

38. Mr. Doudou Diène, Special Rapporteur, during his visit to the Caribbean Region in July 2003, had been able to assess the realities of ethnic relations in Guyana and the initiatives of the Government in relation to those issues and he had reflected those elements in his thorough, insightful and objective interim report.

39. The contemporary forms of racism and racial discrimination underscored by the Special Rapporteur, who had also pointed out the twofold threat of the extensive use of new information technologies in promoting virulent forms of racism and the increased incidence of racism in sports, were an object of concern. That threat endangered directly the efforts of the global community to combat racial discrimination;

and was of heightened significance to developing countries for two reasons: their limited capacity to mount effective responses to the enormous potential of advanced information technology to disseminate hate messages, and the fact that the increased incidence of racial discrimination in sports could diminishing the value of one of the international community's foremost mechanisms for fostering harmonious relations across racial and ethnic barriers.

40. The delegation of Guyana therefore urged the General Assembly to decide in favour of a timely and comprehensive response to ensure the reversal of those unwelcome trends. The international community should do more together to combat discrimination in all its forms and to implement the Durban Declaration and Programme of Action with a view to accelerating its elimination. Accordingly, the delegation of Guyana applauded the work of the Office of the United Nations High Commissioner for Human Rights and stressed that strengthening the capacity of developing countries to honour their obligations would contribute significantly to the attainment of objectives common to the entire international community.

41. **Mrs. Rasheed** (Observer for Palestine), speaking on agenda item 115, stated that racism and racial discrimination continued to obstruct the right of individuals and groups to enjoy the full potential of their society. The General Assembly of the United Nations had adopted several conventions and resolutions addressing the negative effects of racism and racial discrimination but, although there had been significant strides, much remained to be done.

42. In the Occupied Palestinian Territory, including East Jerusalem, approximately half of the Palestinian people, who totalled three and a half-million, had been living under brutal Israeli occupation for more than three decades contrary to all principles of equality, democracy and tolerance. Israel's racist attitudes underpinned oppressive measures against the Palestinian people, such as closures and restrictions on the movement of Palestinians and other forms of collective punishment. Over 2,600 Palestinians had been killed and more than 40,000 injured as a result of war crimes, State terrorism and systematic violation of fundamental rights, of which the Palestinians had been victims over the preceding three years.

43. Israel, the occupying power, had transformed occupation into a colonial phenomenon with the transfer of over 400,000 illegal Israeli settlers to land forcibly confiscated from the Palestinian people. Like any other form of colonialism, settler colonialism was rooted in racism and racial discrimination and negated the most basic rights of the indigenous people, their national rights and even their very existence.

44. In defiance of international law and the United Nations resolutions, Israel had prevented four million Palestinian refugees, uprooted from their homes and properties in 1948, from returning to their land, practicing a blatant discrimination based solely on religion. For years, hundreds of thousands of Palestinians had not been able to obtain passports or travel abroad and were forced to remain in destitute living conditions.

45. In Israel itself, more than one million Israeli Arabs or Israelis of Palestinian origin continued to suffer institutionalized discrimination and to be denied many of their individual rights. Many were prevented from returning to their property or purchasing new land. In Israel, Palestinians lived in conditions drastically lower than those of average Israeli citizens and were largely deprived of benefits, privileges and public services provided by the Government and municipal bodies. Almost 50 percent of children living below the poverty line in Israel were Israelis of Palestinian origin, although that group did not account for more than 20 percent of Israel's population. Israel had no constitution and was the only country in the world that differentiated between citizenship and nationality.

46. The Palestinian delegation hoped that the international community would exert all efforts to provide relief to the Palestinian people. That would be possible only when the occupation and colonization of Palestinian land were brought to an end. The rights of Palestinian refugees should be restored and the Israeli Arabs and the Israelis of Palestinian origin should be spared institutionalized discrimination. Most importantly, a Palestinian state with East Jerusalem as its capital should be established to enable the Palestinian people to live in a world respectful of their dignity and of the ideas of equality, freedom and tolerance.

47. **Mr. Hatta** (Indonesia), speaking on agenda items 115 and 116, expressed appreciation for the Secretary-General's reports under those items and said that her delegation associated itself with the statement made by

the representative of Morocco on behalf of the Group of 77 and China.

48. Indonesia, a multicultural and multiethnic society particularly sensitive to the problem of racism, felt revulsion at discrimination. As far back as 1999, it had become a party to the International Convention on the Elimination of All Forms of Racial Discrimination and adopted a national plan of action on human rights for 1998-2003. A second national plan of action was to outline the priorities for the next five years.

49. In 2000, the Constitution had been amended to guarantee non-discrimination. In addition to ratifying the above Convention and other instruments, Indonesia had formed a standing committee in order to implement the national plan of action. The Government was reviewing all existing laws to ensure that they were not enforced in a discriminatorily against any ethnic groups, particularly members of the Indonesian community that were of Chinese origin; and would continue to take legislative, judicial, regulatory, administrative and other measures to maintain a spirit of tolerance and mutual respect among the country's diverse communities. That included anti-terrorist legislation enacted in the aftermath of the attack in Bali. Although terrorists should be brought to justice, efforts to combat terrorism must be carried out without prejudice towards any religion, ethnic group or nation.

50. The Government of Indonesia was greatly concerned, and could not tolerate, that globally racism seemed to be rising, as reflected in the report of the Special Rapporteur of the Commission on Human Rights on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance.

51. The long suffering of the Palestinian people, largely attributable to racism, should finally be brought to an end. Settling that conflict required Israel's full withdrawal from all occupied Arab lands; respect for the right of all States in the region to live within secure and internationally recognized boundaries; and exercise of the Palestinian people's right to self-determination, including the establishment of a Palestinian State with Al Qods Al Sharif as its capital. Israel must comply with all relevant United Nations resolutions, particularly the one adopted by the Tenth Emergency Special Session of the General Assembly on 21 October 2003, and fully implement the road map.

52. At the global and the national level, peace and prosperity could only be achieved through tolerance, respect for diversity and the participation of all people in human development.

53. **Mrs. Al Haj Ali** (Syrian Arab Republic), speaking on agenda items 115 and 116, said that her delegation associated itself with the statement made by the representative of Morocco on behalf of the Group of 77 and China under agenda item 115, and stated that the upsurge of racism, particularly against Arabs and Muslims in the aftermath of the events of 11 September 2001, was extremely worrying.

54. In view of the regrettable failure to implement the goals set at the Durban Conference, the representative of the Syrian Arab Republic expressed the hope that the efforts currently put forth by the international community to that effect would be successful.

55. The use of modern communication means and techniques to misrepresent specific cultures or religions by praising a civilization to the detriment of another was dangerous, because it aroused hatred and threatened international peace and stability. Furthermore, some countries enacted racist legislation under the pretext of counter-terrorism, thereby setting back the fight against racial discrimination.

56. The representative of the Syrian Arab Republic praised the report drawn up by Mr. Doudou Diène, Special Rapporteur of the Commission on Human Rights on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/58/313), and his efforts in combating racism. Hopefully, that report would be duly studied by the competent bodies and a follow-up mechanism would be set up to enable civil society and non-governmental organizations (CSOs and NGOs) to ensure the implementation of the Durban Programme of Action.

57. The situation in Arab countries was deteriorating constantly and Israeli practices against the citizens of the occupied Arab territories - in particular, hate speeches by some leaders; expulsion of Arab populations; establishment of illegal Jewish settler colonies to alter the demography of the occupied territories and impose a new status quo; and construction of a separation wall disavowed by the General Assembly - aroused ever greater concern.

58. The right to self-determination was enshrined in the United Nations Charter, confirmed by many United Nations resolutions and provided for in the two International Covenants on Economic, Social and

Cultural Rights. It was regrettable that the United Nations, despite its efforts and successes in that area, had been unable to stop Israel's arbitrary and repressive measures against the Palestinian people or to ensure the implementation of the United Nations resolutions.

59. Throughout history, many victims of oppression had found refuge in Arab countries. In the Syrian Arab Republic, one of the first countries to adhere to the international conventions against apartheid, such people had been able to exercise their human rights without subjection to any discrimination.

60. Peace and security would be secured in the region only when Israeli occupation of Arab territories would cease. The Palestinian people must be able to enjoy the right to self-determination, have a national territory and set up an independent State with Al Qods al Sharif as its capital. Denial of that right to any people was unacceptable and the United Nations had a role to play on that issue. Not the struggle against Israeli occupation but the occupation itself should be described as terrorist.

61. **Mr. Neil** (Jamaica) said that his delegation associated itself with the statements made by the representative of Morocco on behalf of the Group of 77 and China and by the representative of Antigua and Barbuda on behalf of the Caribbean Community (CARICOM) and stressed that, to make further progress in the elimination of racism and racial discrimination, all of the commitments made under the Durban Programme of Action should be followed up appropriately. As the end of the Third Decade to Combat Racism and Racial Discrimination was approaching, one could say that the worst abuses had been brought to an end and that, under the International Convention on the Elimination of All Forms of Racial Discrimination, the international community had formulated a cooperative plan of action for monitoring the activities of States and to ensuring that they met their obligations. Much, however, remained to be done. Despite legislative and political advances, racism and racial discrimination persisted in certain types of behaviour, in social relations and in employment practices. Minorities were still targets of - sometimes violent - attacks, while hate groups continued to threaten society. Such groups, generally outlawed under authoritarian regimes, exercised abusively the rights and freedoms ensured by democracy, particularly the freedom of expression, and that problem required not only legislation and governmental policies but also proactive measures in each society.

62. In comments intended to complete the statements made by the aforementioned delegations, the speaker underscored three issues related to the implementation of the Durban Programme of Action. First, national efforts to strengthen the education and socialization processes should be intensified with a view to promoting the ideal of racial harmony and eradicating insidious racist doctrines - which must be monitored with utmost vigilance - in cooperation with the civil-society and non-governmental organizations (CSOs and NGOs) concerned. That combat should also target racial stereotypes plaguing some groups or communities that were constantly suspected of terrorism or criminal activities in general.

63. Secondly, attention should be paid to the issue of compensation for past injustice, referred to in paragraphs 157-159 of the Durban Programme of Action. Without opening old wounds, measures should be taken to indemnify countries that had been colonized, particularly some developing countries. The greatest hardships had been endured by peoples of African origin - victims of slavery and other forms of racial oppression - and indigenous populations. Proactive programmes, designed to enable such groups to close the gap due to their history must therefore be implemented. The aforementioned paragraphs concerned not only individual experiences of racism and its impact on personal development but also, more broadly, the collective experience of failure by entire communities that had been thwarted in their development by racism and racist institutions depriving them of possibilities that other communities had been able to explore. Haiti, a country which, while preparing to celebrate the bicentenary of its independence, direly needed the international community's assistance in removing the traces of its colonial past, was in many ways a pertinent example.

64. Thirdly, cultural diversity should be respected. In view of intensified migration flows and tightened links among peoples, harmonious relations among peoples and States presupposed increased tolerance and the acceptance of cultural pluralism. Any feeling that a particular culture was superior to another was likely to lead to intolerance and conflict. The "clash of civilizations", to which reference was sometimes made, had no place in international relations. Through a spontaneous effort to appreciate the wealth of cultural

diversity and respect all religions, inter alia, each group would contribute to the promotion of racial harmony.

65. **Mrs. Clarke** (Barbados), speaking on agenda item 115, said that her delegation associated itself with the statements made by the representative of Morocco on behalf of the group of 77 and China and by the representative of Antigua and Barbuda on behalf of the Caribbean Community (CARICOM).

66. In 1973 and again in 2001, the international community had committed itself to eradicating racism, racial discrimination, xenophobia and related intolerance. Yet, those goals were still far from being attained.

67. Eliminating racism clearly required a cross-sectoral and multi-dimensional approach. States should formulate a strategy to counteract both the manifestations and the conceptual underpinnings of racism. This would entail inter alia strengthening and implementing domestic and international anti-racism and anti-discrimination instruments, research to identify the cultural and historical sources of racist attitudes, education programmes to combat the legacy of racism, dialogue among ethnic groups, and fostering an environment of mutual respect and openness to support that dialogue.

68. Like most Caribbean States, Barbados had a dark colonial past. Yet, it had emerged as a society where cultural diversity was recognized and ethnic groups were encouraged to participate in the public arena.

69. The Barbadian delegation appreciated the report of the Special Rapporteur, who had carried out field missions to study inter-ethnic relations in Guyana and Trinidad and Tobago.

70. At Durban, the delegations had recognized the link between education and the struggle against racism. They had stressed that serious research must be undertaken to rewrite history books with a view to recognizing the achievements and contributions of indigenous people and people of African descent. The Centre for Multi-racial Studies, established in the Caribbean in the 1970s as a collaborative effort of the University of Sussex and the University of the West Indies, had contributed through research to shaping the Caribbean consciousness.

71. The Durban Declaration and Programme of Action had affirmed that there was a need for an international facility to identify techniques, mechanisms, policies and programmes for developing harmonious multiracial and multi-cultural societies. The University of the West Indies should be seriously considered as a possible site for an international Centre for multi-racial and multi-cultural studies.

72. The use of the Internet and other new communications media for negative purposes had become a worrying trend. Barbados supported the inclusion of strong language in the outcome documents of the World Summit on the Information Society (WSIS) to denounce the use of information and communication technologies for the promotion and promulgation of racist ideologies and urged the Member States and the media to guard against such abuse.

73. Racism and racial discrimination - banes that continued to be at the heart of major conflicts across the world - should be eliminated. The international community must mobilize the necessary resources and political will to promote cooperation, tolerance and harmony among the peoples of the world. The Constitution of Barbados offered protection from state-sponsored discrimination.

74. **Mr. Lewis** (Antigua and Barbuda) recalled that the principle of equal rights and self-determination of peoples, enshrined in the United Nations Charter and reaffirmed in myriad resolutions of the General Assembly, was the basic premise underpinning various human rights conventions, had been reasserted in the Millennium Declaration and remained a fundamental and inalienable human right for all peoples on the planet.

75. Adherence to that principle had enormous significance to the remaining 16, mostly small island, non-self-governing territories, all under continual review by the General Assembly. While the issue of the self-determination and subsequent decolonization of those small non-self-governing territories remained, and should continue to be, an important agenda item of the Fourth Committee, the organic link between their development process and the self-determination issues addressed in the Third Committee - where emphasis was placed on the human-rights aspects of the issue - must be constantly taken into consideration. On that point, the delegation of Antigua and Barbuda reiterated a recommendation, made to the Third Committee in 2002, to convene an informal forum on self-determination, jointly coordinated by the Third and

Fourth Committees, and suggested that the recommendation should be considered for inclusion in the text of the resolution on self-determination currently before the Third Committee.

76. Since the end of World War II, the international community had contributed to the self-determination of over 80 territories. The delegation of Antigua and Barbuda rejoiced at the ascension of Timor-Leste, which had become a Member State of the United Nations. But the process of self-determination was far from complete.

77. As the Member States of the Caribbean Community (CARICOM) had emphasized in the general debate of the Fourth Committee, there were still significant impediments to the exercise of the universal right to self-determination by the people of the remaining 16 small island territories. Those obstacles were in large measure due to an information deficit which continued to exist both among the people of the territories and in the international community: information on the legitimate options of self-determination available to the people of those territories remained woefully insufficient, while the Member States were not provided with the analysis of the situation on the ground necessary to make informed decisions to bridge the democratic deficit inherent in even the most benevolent of contemporary colonial governance models.

78. Despite General Assembly decisions on the first and the - current - second International Decade for the Eradication of Colonialism, much remained to be done to ensure the implementation of that plan of action. The United Nations mandate on self-determination and decolonization could be carried out only through a concerted focus on implementing the important recommendations contained in the Organization's resolutions and decisions.

79. The delegation of Antigua and Barbuda acknowledged and endorsed the collective views of the Heads of State or Government of the Non-Aligned Movement, meeting in Kuala Lumpur in February 2003, who had renewed their commitment to hasten the complete elimination of colonialism and who supported the effective implementation of the Plan of action for the Second International Decade for the Eradication of Colonialism.

80. The United Nations system should ensure that the necessary resources were made available to carry out the General Assembly mandates on self-determination and decolonisation and give the Plan of Action for the Second International Decade for the Eradication of Colonialism a chance to succeed. Only through the implementation of those clear mandates could the process of self-determination be successfully concluded and the concomitant decolonization effectively achieved.

81. In closing, the speaker recalled observations by some eminent statesmen of the past on self-determination and stated that the promise of political equality for all - even for the people living in small island territories - should be addressed with the same vigour and resources that had ensured the success of that historic process in other territories.

Statements in exercise of the right to reply

82. **Mr. Luria** (Israel) expressed his delegation's deep disappointment at the hate speech delivered the day before by the representative of Egypt, a friendly State that had signed a peace treaty with Israel.

83. The Israeli delegation urged the Palestinians and their supporters to take a close look around and see the nations that had achieved self-determination without resorting to destruction or to denial of the rights of others. Self-determination, a noble idea, was debased when its exercise denied the same right to other people.

84. Like any other State, Israel would not succumb to violence or alter its policy as a consequence of terrorism. As a democracy, Israel had no desire to control the lives or the future of the Palestinians.

85. Since 1993, Israel had made extensive territorial concessions to the Palestinians and had always been willing to accept great sacrifices for the sake of peace. Furthermore, it had accepted the roadmap, which called for a two-State solution.

86. The Palestinians' refusal to abandon terrorism, however, had once again failed the many hopes in a renewal of the peace process. It was difficult to comprehend their reasons for rejecting the sweeping peace-offer which had been made at the peace summit held in Camp David in 2000 and had given them virtually all that they had been demanding.

87. Because of the ongoing Palestinian terrorism, many Israelis doubted whether the Palestinians were truly interested in peace and whether the concessions

that Israel had been prepared to make three years earlier were still possible.

88. Israel would not compromise on the safety of its citizens. If the Palestinian leadership took the moral and strategic decision to abandon terrorism once and for all, they would find Israel more than willing to accept painful compromises in order to make the vision of the roadmap a reality for both Israelis and Palestinians.

89. **Mr. Roshdy** (Egypt) argued that the peace agreement between Egypt and Israel gave Egypt the right to comment on the way Israel had been implementing peace agreements in the last 15 years or so, and invited the representative of Israel to look around in his turn and, among the States that sat on the Third Committee and had gained their independence, count those that had been subjected by a foreign occupier to such inhuman measures as those practiced by the Israeli Government in the Occupied Palestinian Territory.

90. Despite multiple resolutions adopted every year by the General Assembly and condemning Israeli practices in the Occupied Palestinian Territory - most recently the construction of what Israel called a "security wall" -, Israel refused to change anything in its policies.

91. Over the previous three years, 2,700 Palestinians had been killed, including about 600 children. On 14 September 2003, a four-month-old girl had been - not killed but - executed by the Israeli army as part of ensuring Israel's security. Children, however, could never be of any threat to the security of Israel. Moreover, a people standing on its own land and fighting those who were trying to seize it could not be accused of terrorism.

92. The Third Committee was dealing with human-rights issues: it was therefore incumbent upon it to tell Israel that they were wrong - even if Israel did not care. One could wonder until when they would feel or believe that they could deceive the international community and continue to take care of their security as if nobody else existed on the planet, as if all people had come to this life just to protect the security of Israel.

93. **Ms. Rasheed** (Observer for Palestine) stated that the statement of the representative of Israel was full of misrepresentation and distortion and she would address it in one of the coming sessions.

The meeting rose at 12.15 p.m.

United Nations A/C.3/58/SR.27

General Assembly
Fifty-eighth session

Official Records

Distr.: General
10 November 2003

Original: English

Third Committee

Summary record of the 27th meeting
Held at Headquarters, New York, on Wednesday, 29 October 2003, at 3 p.m.

Chairman: Mr. Priputen (Vice-Chairman) ..... (Slovakia)

Contents

Agenda item 113: Promotion and protection of the rights of children (*continued*)

Agenda item 114: Programme of activities of the International Decade of the World's Indigenous People (*continued*)

Agenda item 115: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Agenda item 116: Right of peoples to self-determination (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-58483 (E)

In the absence of the Chairman, Mr. Priputen (Slovakia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 113: Promotion and protection of the rights of children (*continued*)

Draft resolution on the Office of the Special Representative for Children and Armed Conflict (A/C.3/58/L.28)

1. **Mr. Dangwe Rewaka** (Gabon) introduced draft resolution A/C.3/58/L.28. In his report (A/58/328), the Special Representative for Children and Armed Conflict had drawn attention to the financial situation of his Office, which was funded solely through voluntary contributions. The draft resolution recommended that the Office should be supported through regular budgetary funding, in order to give it greater financial stability.

2. **The Chairman** said that Burkina Faso and Niger had joined the sponsors of the draft resolution.

Agenda item 114: Programme of activities of the International Decade of the World's Indigenous People (*continued*)

Draft resolution on the International Decade of the World's Indigenous People (A/C.3/58/L.27)

3. **Mr. Halstrom** (Finland) introduced draft resolution A/C.3/58/L.27 on behalf of the Nordic countries, as well as Argentina, Peru and Switzerland, which had also joined the sponsors. Informal consultations had been held on the draft resolution with the aim of producing a balanced text. The adoption of a draft declaration on the rights of indigenous peoples was a major aim of the Decade, and as the Decade approached its end, she hoped that the review being conducted would be fruitful.

4. **The Chairman** said that Bolivia, Burkina Faso, the Central African Republic, Costa Rica, El Salvador, Gabon, Paraguay and The former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution.

Agenda item 115: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination (A/58/3, A/58/18, A/58/80-E/2003/71, A/58/313)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/58/324, A/58/331)

Agenda item 116: Right of peoples to self-determination (*continued*) (A/58/115, A/58/180)

5. **Ms. Porat** (Israel) said that the need for a fresh working definition of racism was more urgent than ever for two reasons. First, the rapid expansion of cyberspace could be misused by extremist groups for incitement to hate crimes, and a clear definition would enable the passage of legislation against such crimes and its enforcement. Second, one of the lessons of the Durban Conference against Racism was that the indiscriminate labelling of conflicts, whether national, religious, territorial or military, as expressions of racism should be opposed, as the fear of the other — known as heterophobia — was being exploited by politicians and pressure groups.

6. Efforts to educate against racism had been ongoing since the Durban Conference and should be commended. She drew particular attention to the January 2000 Stockholm International Forum on the Holocaust and the efforts to use it as a primary educational tool in the 45 countries which had attended. The experience gained could be used to form a parallel task force for education against racism within the United Nations system. Israel itself was a highly diverse country, with more than 100 languages spoken within its borders and significant and varied Jewish, Muslim and Christian religious communities. As part of the effort to eliminate discrimination, a collection of legislation against racism and related intolerance enacted by United Nations Member States had been compiled by Tel Aviv University. The process of updating that collection could take place under the aegis of the Committee, in order to provide a full picture of global legislation on those issues.

7. Turning to the issue of self-determination, Israel recognized the rights of peoples to self-determination throughout the world, including the Middle East. Israel's founders had a vision of establishing a modern state in the ancient homeland of the Jewish people,

thereby realizing their right to self-determination while living in peace and security with their neighbours. Israel respected the rights of its neighbours, including the Palestinian people, to self-determination. It did not wish to dominate them or control their destiny, and was committed to a two-State solution. However, the right of self-determination could not be used to legitimize any action undertaken in its name, including violence. Some of the most severe disputes in history had occurred among groups of the same ethnic origin, as was the case in the Middle East. That conflict was not racist, religious or cultural, but political, and could be resolved only by political dialogue based on mutual respect and compromise. Instead, the Palestinian leadership had placed obstacles in the path of their own self-determination and had chosen the route of inaction and complicity in terrorism.

8. In March 1994, the United Nations Commission on Human Rights had taken a decision to the effect that anti-Semitism was a form of racism, along with other related forms of discrimination such as Islamophobia. Indeed, the final draft of the Durban Programme of Action repeatedly mentioned anti-Semitism alongside Islamophobia. In response to the concerns expressed, it was her delegation's firm belief that both phenomena deserved to be addressed appropriately in the Committee and by the Special Rapporteur of the Commission on Human Rights on racism, racial discrimination, xenophobia and related intolerance. After 11 September 2001, much attention in the Western world had been focused on the question of whether there was some kind of evil inherent in Islam. It was precisely that kind of false attribution of evil to various human groups that was the essence of racism.

9. **Mr. Xie** Bohua (China) said that, in order to eliminate racism and racial discrimination, both the phenomenon and its root causes must be addressed. Governments bore primary responsibility for advocating dialogue among civilizations and raising public awareness of the danger of racism and racial discrimination. The restoration of the rights of the Palestinian people, including the right of self-determination, would provide the key to lasting peace in the Middle East. His Government deplored the decision of the Israeli Government to continue the construction of the separation wall and the expansion of settlements. The wall would not solve Israel's fundamental security problems and would only deepen mutual hostility and hatred. He hoped that the parties concerned would take a long-term view and break the vicious circle of violence by returning to the negotiations.

10. The right to self-determination applied to peoples under foreign occupation, and must not be seen as authorizing any action to dismember a sovereign State or violate its territorial and political integrity. It was the common aspiration of all the Chinese people to maintain the sovereignty and territorial integrity of China, but in recent years, under the pretext of national self-determination, some groups had been undermining its sovereignty and unity. That was a wilful trampling of the norms of international law, but his delegation was confident that truth and justice would prevail.

11. **Mr. Dhakal** (Nepal) said that his delegation attached great importance to the work of the United Nations to combat racism and racial discrimination. The Office of the High Commissioner for Human Rights had played a leading role in the implementation of the Durban Declaration and Programme of Action, and in effective coordination with the Committee on the Elimination of Racial Discrimination.

12. Migration had been both a cause and a consequence of racial, ethnic and gender discrimination. Migrants who attempted to escape discrimination by moving to another country were often subjected to discrimination in the host country. The entry into force of the International Convention on the Protection of the Human Rights of All Migrant Workers and Members of Their Families would be a significant step in protecting them. High illiteracy rates, poor access to health care, limited employment opportunities, poverty and social exclusion had also made women one of the most vulnerable segments of society. Nepal firmly believed that addressing core development issues would help in combating gender discrimination.

13. Nepal was fully committed to the elimination of racism and racial discrimination, and was party to 16 international human rights instruments. Its 1990 Constitution guaranteed equality without discrimination based on race, caste or religion. Particular emphasis was placed on such vulnerable groups as women, children and older persons. Mainstreaming of gender issues was at the centre of the current five-year development plan, and measures for preventing social exclusion based on race and ethnicity had been adopted. Local government officials, police

and members of the judicial system were being sensitized to the issues of racial discrimination and racially motivated crimes, as well. At a time when Nepal had begun to achieve respectable economic growth and social progress under a multi-party democracy, Maoist violence had hampered economic activity and frayed the fabric of society. The Government was seeking a political solution to the problem, but needed increased external assistance to deal with it.

14. **Ms. Ouedraogo** (Burkina Faso), associating her delegation with Morocco's statement on behalf of the Group of 77 and China, said that the Constitution of Burkina Faso guaranteed non-discrimination. Her Government was doing everything possible to ensure effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and had begun drafting its thirteenth and fourteenth reports to the Committee on the Elimination of Racial Discrimination. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance should cooperate with other human rights bodies, particularly the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, because women and children, in particular, were often victims of racial discrimination.

15. The African regional consultative meeting in Dakar had enabled African countries to identify problems. The exchange of experience should serve to strengthen policies and programmes of action and determine best practices to combat racism. The Special Rapporteur should conduct a thorough study of the caste system, with the cooperation of Member States and civil society and crucial support of community, religious and traditional leaders.

16. During their joint visit to Côte d'Ivoire, the Special Rapporteur on racism and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression should take into account the violence endured by the displaced persons, many of whom had been forced to flee the country and leave their property behind. The Special Rapporteur on racism should also work closely with the Special Rapporteur on the human rights of migrants. Such cooperation would serve to improve inter-ethnic relations and offer a broad perspective on the situation.

17. Her Government deplored and condemned the racist propaganda on the Internet, rise in racism in sports, anti-Semitism and Islamophobia mentioned in the report and called for an international agreement such as an additional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination to suppress the use of the Internet for racist purposes. There was also a need to monitor the effectiveness of measures by the International Federation of Association Football and the Union of European Football Associations to combat racism on the part of fans and within sports teams themselves, particularly those that recruit foreigners. The broad debate on anti-Semitism advocated by the Special Rapporteur on racism should lead to a thorough study to properly address the issue. The report of the Commission on Human Rights on Islamophobia should contain recommendations to resolve the issue in accordance with international law. Lastly, her Government stood ready to contribute to the training of French-speaking peoples, especially young people, to halt the spread of HIV/AIDS and combat HIV/AIDS-related discrimination.

18. **Mr. Lukyantsev** (Russian Federation), regretted that racism, xenophobia, discrimination and intolerance continued to fuel violent separatism and terrorism, thereby thwarting the possibility of a fully fledged civil society and sustainable social and economic growth. His delegation attached particular importance to combating racism and sought to ensure optimal conditions for the unfettered development of all of the Russian Federation's various ethnic and religious groups, harmonious inter-ethnic relations, conflict prevention and protection of human rights.

19. Russian legislation fully guaranteed the social, economic, civil and political rights of all people regardless of race, language or creed. National criminal legislation had been enacted, including a law against extremist groups, to bolster the protection of the inalienable rights and freedoms provided for under the Constitution. His Government and law enforcement agencies were also taking steps to ease ethnic tensions, eliminate extremism, hatred and intolerance and educate society, especially the young, about human rights, tolerance and multi-ethnic dialogue.

20. The Russian Federation had submitted its fifteenth to seventeenth periodic reports on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination and was

working to put the Committee recommendations into practice. His delegation expressed concern at discrimination against Russian-speaking citizens in Latvia and Estonia and hoped that the Baltic countries would take all the necessary steps to implement the recommendations of international organizations, including the Committee on the Elimination of Racial Discrimination, to improve the conditions of the Russian-speaking populations. In conclusion, Member States must make every effort to develop a general strategy and machinery to implement the Durban Declaration and Programme of Action. The work of the group of eminent persons appointed by the Secretary-General would contribute greatly to that objective.

21. **Ms. Davtyan** (Armenia) regretted that the denial by some States of the fundamental and inalienable right of peoples to self-determination had led to violent conflicts in many parts of the world. Territorial integrity and the right of people to self-determination were equally valid principles that should be reconciled. A human rights approach could help to ensure that efforts to balance them did not encroach upon democracy and freedoms.

22. With respect to Nagorny Karabakh, Azerbaijan's specious assertion of its right to territorial integrity infringed on the right of the people of Nagorny Karabakh to self-determination, and its jurisdiction over the territory was illegal and unjust. Moreover, Nagorny Karabakh had never been a legitimate part of Azerbaijan. Her Government and the authorities of Nagorny Karabakh had been conducting constructive negotiations, in the spirit of compromise, to resolve the conflict in the region, whereas its Azerbaijani counterparts had impeded a resolution to the conflict by engaging in warmongering and harmful, jingoistic propaganda.

23. **Mr. Akram** (Pakistan), associating his delegation with the statement made by the representative of Morocco on behalf of the Group of 77 and China, said that racism was the most pervasive cause of violations of human rights. Among the current manifestations of racism requiring urgent attention were new ideologies that fostered hatred, discrimination and a clash of civilizations for political ends. The vilification of Muslims — through blasphemous and slanderous remarks by religious leaders and public figures — and discrimination against Muslims had met with tremendous silence on the part of international media, the United Nations, human rights officials and liberal politicians. The international community must not allow the campaign against terrorism to defame Islam or mask efforts to quash the right of peoples to self-determination, as was the case of the Kashmiri people, 80,000 of whom had been killed in the past decade in their struggle for freedom.

24. Furthermore, States must not hide behind the cloak of spurious democratic politics to allow the rise of extremist parties and groups that incited racial hatred and discrimination and violence against minorities and migrants, as had occurred when Narendra Modi of the ruling Bharatiya Janata Party of India had organized the massacre of more than 2,000 Muslims in 2002. The world must be made aware that the rise of Hindu fascism could provoke a holocaust against the Muslims of India and devastating conflict in South Asia. His delegation regretted that the Indian Government had opposed inclusion of the question of the elimination of caste discrimination at the Durban Conference, on which millions of so-called untouchables had pinned great hopes and expressed disappointment at the failure of the report of the Secretary-General on racial discrimination (A/58/313) to address the use of racism in electoral politics.

25. **Mr. Israfilov** (Azerbaijan), speaking in exercise of the right of reply, said that the representative of Armenia had wrongly presented Armenia's infringement on the sovereignty and territorial integrity of Azerbaijan and its attempts to create a second, mono-ethnic Armenian State as a struggle for self-determination, and had falsified history with respect to Nagorny Karabakh. The United Nations response to Armenia's groundless claims could be found in Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), which recognized his country's sovereignty over Nagorny Karabakh and other occupied territories of Azerbaijan and called for the immediate withdrawal of the occupying forces. Armenia continued to flout those Security Council resolutions by occupying 20 per cent of Azerbaijani territory.

The meeting rose at 4.35 p.m.

United Nations A/C.3/58/SR.28

General Assembly
Fifty-eighth session

Official Records

Distr.: General
10 November 2003

Original: English

Third Committee

Summary record of the 28th meeting
Held at Headquarters, New York, on Thursday, 30 October 2003, at 3 p.m.

Chairman: Mr. Priputen (Vice-Chairman) ..... (Slovakia)

Contents

Agenda item 105: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*)

Agenda item 106: Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*)

Agenda item 108: Crime prevention and criminal justice (*continued*)

Agenda item 110: Advancement of women (*continued*)

Agenda item 114: Programme of activities of the International Decade of the World's Indigenous People (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

03-58784 (E)

In the absence of Mr. Belinga-Eboutou (Cameroon), Mr. Priputen (Slovakia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 105: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*) (A/C.3/58/L.9/Rev.1)

Draft resolution on implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (A/C.3/58/L.9/Rev.1)

1. **Mr. Maqueira** (Chile), introducing the draft resolution, which had no programme budget implications, said that the following countries had joined the sponsors: Afghanistan, Algeria, Armenia, Austria, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Colombia, the Congo, Croatia, Djibouti, Eritrea, the Gambia, Guinea, Haiti, Latvia, Lesotho, Lithuania, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, the Niger, Nigeria, the Republic of Moldova, Singapore, Slovakia, Slovenia, the Sudan, The former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, and Viet Nam.

2. *Draft resolution A/C.3/58/L.9/Rev.1 was adopted.*

Agenda item 106: Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/58/L.8)

Draft resolution on implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century (A/C.3/58/L.8)

3. **Ms. Osias-Magpile** (Philippines) introducing the draft resolution, which had no programme budget implications, said that the final version, incorporating all revisions and amendments, had been circulated to the Committee. The following countries had joined the sponsors: Afghanistan, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Latvia, Lebanon, Lesotho, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mexico, the Federated States of Micronesia, Monaco, Mongolia, Morocco, Myanmar, Namibia, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, the Republic of Moldova, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Uganda, Ukraine, the United Kingdom of Great Britain and Ireland, the United Republic of Tanzania, the United States of America, Uruguay, Venezuela, Viet Nam, Zambia and Zimbabwe.

4. *Draft resolution A/C.3/58/L.8, as orally revised, was adopted.*

Agenda item 108: Crime prevention and criminal justice (*continued*) (A/C.3/58/L.13 and L.16)

Draft resolution on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (A/C.3/58/L.13)

5. **The Chairman** drew the attention of the Committee to a statement on the programme budget implications of the draft resolution contained in document A/C.3/58/L.16.

6. **Mr. Nyamulinda** (Rwanda) introduced the draft resolution.

7. **Mr. Siv** (United States), **Ms. Fusano** (Japan), **Ms. Maillé** (Canada), speaking also on behalf of Australia, and **Ms. Borzi Cornacchia** (Italy), speaking on behalf of the European Union, said that, while supporting the work of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, should there be an increase in core professional staff or in the salary scale of staff, the resulting costs should be met by Member States and should not be charged to the regular budget of the

United Nations. They trusted that there would be no programme budget implications in the future.

8. *Draft resolution A/C.3/58/L.13 was adopted.*

Agenda item 110: Advancement of women (*continued*) (A/C.3/58/L.19)

Draft resolution on improvement of the status of women in the United Nations system (A/C.3/58/L.19)

9. **The Chairman** informed the Committee that draft resolution A/C.3/58/L.19 contained no programme budget implications. The following countries had joined in sponsoring the draft resolution: Argentina, Austria, Azerbaijan, Bangladesh, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Ecuador, Eritrea, Ethiopia, Finland, Ghana, Greece, Guatemala, Haiti, Italy, Jamaica, Kazakhstan, Latvia, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Nigeria, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Sierra Leone, South Africa, Spain, Switzerland, Tunisia, Ukraine, United States of America, Uruguay, Venezuela, Zambia and Zimbabwe.

10. **Mr. De Barros** (Secretary of the Committee) read out a number of revisions to the draft resolution. The third preambular paragraph should end after the words "paragraph 39, 40 and 41"; in the sixth preambular paragraph, the words "efforts of the" should be inserted before "Office of the Programme Planning" and the words "in achieving or maintaining" should replace "which have achieved or continue to maintain". The seventh and ninth preambular paragraphs should be replaced with the following words: "Expressing particular concern that for the second consecutive year there was a slowing of progress towards achieving the target of 50/50 gender balance and that between 1998 and 2003 there has been almost no progress in the rate of representation of women in appointments of one year or more at the professional and higher levels". The eighth preambular paragraph should be deleted, in the tenth preambular paragraph, the word "female" should be inserted before "special representative", and the words "who is a women" should be deleted; and the eleventh preambular paragraph should be deleted.

11. In paragraph 2, the word "very" should be inserted before "near future"; in paragraph 4, the word "professional" should be inserted before "staff" in the second and third lines, the words "and the executive heads of the organizations of the United Nations system" should be inserted after "the Secretary-General", and the word "their" should replace the word "his" after the word "intensify". In paragraph 5 (g), the words "of a project" should be inserted before "by the Office of the Under-Secretary-General" and deleted in the second line; and in paragraph 5 (h), the words "research-based" should be inserted before "analysis". In paragraph 7, the phrase "in the context of his commitment to set concrete targets for the appointment of women as his special representatives and special envoys in order to reach the target of 50/50 gender balance by 2015" should be moved and inserted after the words "the Secretary-General" in the first line.

12. **Ms. Maillé** (Canada), speaking also on behalf of Australia, New Zealand and other sponsors, made further oral revisions to draft resolution A/C.3/58/L.19. The fifth preambular paragraph should read: "Taking into account the continuing lack of representation or under-representation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States, from countries with economies in transition, and from unrepresented or largely under-represented Member States". Paragraph 3, after the words "Charter of the United Nations" should read: "and also taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States, from countries with economies in transition, and from unrepresented or largely underrepresented Member States". Paragraph 6 (i) should read "To continue to work to further strengthen the policy against harassment by, inter alia, ensuring the full implementation of the guidelines for its application at Headquarters and in the field".

13. The eleventh preambular paragraph should be replaced by the following text: "Welcoming the work of the Department of Peacekeeping Operations in issuing guidance for field missions on the procedures to be followed for handling disciplinary issues and allegations of serious misconduct involving mission personnel and encouraged by the agreement in the Staff-Management Coordination Committee that the

procedure for dealing with all forms of sexual harassment be reviewed and incorporated within a new administrative instruction covering all forms of harassment". Lastly, she informed the Committee that Cameroon, the Democratic Republic of the Congo, Dominica, Fiji, Greece, Guyana, India, Mongolia, Myanmar, Panama, Paraguay, Samoa, Slovakia, the Sudan, Suriname, Thailand, The former Yugoslav Republic of Macedonia and Viet Nam had joined in sponsoring the draft resolution.

14. **The Chairman** said that the following countries had also joined the sponsors of draft resolution A/C.3/58/L.19: Algeria, Belarus, Benin, Bhutan, Côte d'Ivoire, Estonia, Georgia, Indonesia, Japan, Kenya, Malaysia, the Federated States of Micronesia, the Philippines, Rwanda, Saint Lucia, Sri Lanka, Timor-Leste and Uganda.

15. *Draft resolution A/C.3/58/L.19, as orally revised, was adopted.*

Draft resolution on the Convention of the Elimination of All Forms of Discrimination against Women
(A/C.3/58/L.20)

16. **The Chairman** said that the following delegations had joined in sponsoring draft resolution A/C.3/58/L.20: Australia, Azerbaijan, Belarus, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cambodia, Central African Republic, China, Cuba, Ecuador, Estonia, Gambia, Guinea-Bissau, Haiti, Indonesia, Jamaica, Jordan, Kenya, Lithuania, Madagascar, Malawi, Mozambique, Namibia, Papua New Guinea, Paraguay, Peru, Portugal, Republic of Korea, Romania, Samoa, Serbia and Montenegro, Sierra Leone, Suriname, The former Yugoslav Republic of Macedonia, Tunisia, Uganda, Viet Nam, Zambia and Zimbabwe.

17. **Mr. De Barros** (Secretary of the Committee) said that the General Assembly would encourage all relevant entities within the United Nations system, Governments, intergovernmental and non-governmental organizations and women's organizations, in particular, to strengthen assistance to States parties in implementing the Convention on the Elimination of All Forms of Discrimination against Women. He informed the Committee that draft resolution A/C.3/58/L.20 contained no programme budget implications and that consideration by the Committee of paragraph 18 of the draft resolution was in contravention of paragraph 2 of section VI of General Assembly resolution 45/248.

18. **Ms. Gunnarsdóttir** (Iceland) made the following oral revision to draft resolution A/C.3/58/L.20: at the beginning of the twelfth preambular paragraph, the words "Welcoming further" should be replaced by "Recalling". She also informed the Committee that Bhutan, Bolivia, Georgia, Grenada, Guyana, Liberia, Malta, Mauritius, Mongolia, the Republic of Moldova and Togo had joined in sponsoring the draft resolution.

19. **The Chairman** said that the following countries had also joined in sponsoring draft resolution A/C.3/58/L.20: Côte d'Ivoire, Nepal, Nicaragua, the Niger, Panama and Rwanda.

20. **Mr. Siv** (United States), speaking in explanation of position, said that his Government was committed to ensuring that the promotion of the human rights and fundamental freedoms of women was fully integrated into American foreign policy and supported the goal of the Convention on the Elimination of All Forms of Discrimination against Women to eradicate discrimination against women across the globe. His Government's actions in Afghanistan, Iraq, the Middle East and elsewhere underscored that commitment. His delegation, however, was concerned at the wording of paragraph 2 of draft resolution A/C.3/58/L.20, which "urges all States that have not yet ratified or acceded to the Convention to do so" rather than "to consider doing so". Accordingly, his delegation disassociated itself from the consensus on the draft resolution.

21. *Draft resolution A/C.3/58/L.20, as orally revised, was adopted.*

22. **Ms. Ng Yuin-Lyn** (Singapore), speaking in explanation of position after the adoption of the draft resolution, said her delegation objected to the words in paragraph 8, urging States parties to the Convention on All Forms of Discrimination against Women "to review their reservations regularly with a view to withdrawing them". She pointed out that the Vienna Convention on the Law of Treaties prohibited only reservations that were incompatible with the object and purpose of a given convention and expressed concern at the trend towards discouraging reservations that were permissible under the Vienna Convention.

Agenda item 114: Programme of activities of the International Decade of the World's Indigenous People (*continued*) (A/C.3/58/L.27)

Draft resolution on the International Decade of the World's Indigenous People (A/C.3/58/L.27)

23. **The Chairman** said that Argentina, Armenia Bolivia, Burkina Faso, Central African Republic, Costa Rica, Gabon, El Salvador, Paraguay, Peru, South Africa, Switzerland, The former Yugoslav Republic of Macedonia and Timor-Leste had joined in sponsoring draft resolution A/C.3/58/L.27 and informed the Committee that the draft resolution contained no programme budget implications.

24. **Mr. Hauström** (Finland) said that Dominica had also joined the sponsors of draft resolution A/C.3/58/L.27.

25. *Draft resolution A/C.3/58/L.27, as orally revised, was adopted.*

The meeting rose at 4.35 p.m.